

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JAMES R. ALLAN,

Plaintiff,

v.

BNSF RAILWAY COMPANY, a  
Delaware Corporation,

Defendant.

NO. CV-08-125-EFS

**ORDER OF DISMISSAL**

By Stipulation filed January 8, 2009 (Ct. Rec. 17), the parties advised the Court that the above-captioned matter should be dismissed with prejudice and without costs or fees, pursuant to Federal Rule of Civil Procedure 41.

Therefore, **IT IS ORDERED:**

1. The Complaint (Ct. Rec. 1) is **DISMISSED with prejudice** and **without costs** or fees awarded to any party;
2. All pending trial and hearing dates are stricken;
3. All pending motions are denied as moot; and
4. This file shall be closed.

S/ Edward F. Shea  
EDWARD F. SHEA  
United States District Judge

ORDER \* 2